

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
CRISTINA KEMP,

Plaintiff,

-against-

ASCEND HEALTH CORPORATION,
RICHARD KRESCH, an individual,
THE RIVER SCHOOL, and
JANE KRESCH, an individual,

Defendants.
-----X


Civ. No.: 08-CV-4107 (LTS)

STIPULATION AND ORDER OF DISMISSAL WITH PREJUDICE

It is hereby STIPULATED AND AGREED, by and between the Parties hereto, through counsel for Plaintiff and counsel for Defendants, who state that they have been authorized by the Parties to enter into this Stipulation, that the above-captioned action which includes a claim under the Fair Labor Standards Act is hereby dismissed in its entirety, with prejudice to Plaintiff, and with no award of counsel fees or costs by the Court.

Dated: July 24, 2008

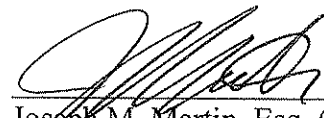
By:



Troy L. Kessler (TK 4793)
Misiano Shulman Capetola & Kessler, LLP
510 Broadhollow Road, Suite 110
Melville, New York 11747
Attorney for Plaintiff, Cristina Kemp

Dated: July 30, 2008

By:



Joseph M. Martin, Esq. (JM 0354)

Jackson Lewis LLP

One North Broadway, 15th Fl.

White Plains, New York 10601

Attorneys for Defendants, Ascend Health
Corporation, Richard Kresch, an individual,
The River School and Jane Kresch, an
individual

SO ORDERED:

Dated: _____, 2008

Hon. Laura T. Swain

United States District Judge